

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
September 27, 2009

Closed Session: none

Call to Order: Meeting was called to order at: 9:44 a.m.

Opening Ceremony: Carol McFall

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer Bott, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet, Councilor Gerald Chingwa

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Gaming Board of Directors: Chairperson Carol McFall, Office Manager Cathy Portman, Gaming Regulatory Commission Beverly Wemigwase, Regulatory Director Vince Cook

Guests: Christina Rohn, Sarah VandeCar, Richard Wemigwase, Harvey Gibson, Marcia Sutton, Diana Naganashe, Roy Smithkey, William McMillan, Marjorie Janis, Jennie Heeres, John Liebgott, Linda Gasco, Rosemary Knapp

Motion made by Secretary Gasco Bentley and supported by Councilor Otto to adopt the agenda for September 27, 2009 as amended.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Bardwell to approve the minutes of September 13, 2009 as corrected.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Otto to approve the minutes of September 25, 2009 as presented.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Bardwell to ratify into the record the Phone Poll dated September 17, 2009 to approve the

1 Forbearance Agreement between Little Traverse Bay Bands of Odawa Indians
2 and MFC Global Investment Management (US) LLC, BlackRock Financial
3 Management Inc., Regiment Capital Advisors, and Pioneer Investment
4 Management Inc., presented to Tribal Council by Donna L. Budnick, Legislative
5 Services Attorney on September 17, 2009. The Phone Poll passed. The phone
6 poll was conducted for time sensitive matters.

7 Vote: 7 - Yes, 1 – No (Councilor R. Shananaquet), 1 – Abstained (Treasurer
8 Bott), 0 - Absent

9
10 10:10 a.m. Elder Comments: Richard Wemigwase spoke regarding the annual
11 pumpkin patch event, the Elder's Association contribution and a request for a
12 Tribal Council contribution.

13 10:14 a.m. Elder Comments closed.

14
15 Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa
16 to accept Legislative Leader Shananaquet's verbal and written report for
17 September 27, 2009.

18 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

19 Motion carried.

20
21 Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa
22 to adopt Tribal Resolution Establishment and Authority of the
23 "Legislative/Executive" Team.

24 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
25 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,
26 Councilor Otto-yes, Treasurer Bott-abstained, Secretary Gasco Bentley-yes,
27 Legislative Leader Julie Shananaquet-yes

28 Motion carried.

29
30 11:01 a.m. Recess called.

31 11:15 a.m. Meeting reconvened.

32
33 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
34 to accept Secretary Gasco Bentley's verbal and written report for September 27,
35 2009.

36 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

37 Motion carried.

38
39 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
40 to accept Treasurer Bott's verbal and written report for September 27, 2009.

41 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

42 Motion carried.

43
44 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
45 accept Councilor Otto's verbal Tribal Council Member report for September 27,
46 2009.

47 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

48 Motion carried.

1
2 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
3 to accept Legislative Services Attorney Budnick's verbal and written report for
4 September 27, 2009 with confidential items contained therein.

5 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

6 Motion carried.
7

8 11:49 a.m. Public Comment opened: Sarah VandeCar spoke requesting
9 revisions to Indian Preference in Tribal Employment Statute. Roy Smithkey
10 spoke in support of news reports and comments. Harvey Gibson spoke regarding
11 bond updates to Tribal Citizens and Tribal Chairman communication during
12 Elder's lunch.

13 11:57 p.m. Public Comment closed.
14

15 12:10 p.m. Lunch recess called.

16 1:34 p.m. Meeting reconvened.
17

18 Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to
19 approve Enrollment List A - Eligible for Citizenship dated August 21, 2009 for a
20 total of 11.

21 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

22 Motion carried.
23

24 Motion made by Secretary Gasco Bentley and supported by Councilor R.
25 Shananaquet to approve Enrollment List B – Declination (Ineligible) dated August
26 21, 2009 for a total of 4.

27 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

28 Motion carried.
29

30 Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to
31 adopt Tribal Resolution: Request for Funding from the National Endowment for
32 the Humanities, Sustaining Cultural Heritage Collections, Little Traverse Bay
33 Bands of Odawa Indians Sustaining Cultural Heritage Collection Implementation
34 Grant.

35 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
36 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,
37 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
38 Leader Julie Shananaquet-yes

39 Motion carried.
40

41 Motion made by Councilor Chingwa and supported by Councilor Kiogima to
42 adopt Tribal Resolution: Request for Funding from the U.S. Department of Health
43 and Human Services Indian Health Service Little Traverse Bay Bands of Odawa
44 Indians FY 2010 IHS Oral Health Promotion / Disease Prevention Grant.

45 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
46 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,
47 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
48 Leader Julie Shananaquet-yes

1 Motion carried.

2
3 Motion made by Councilor Kiogima and supported by Councilor Chingwa to table
4 the request for Appropriation for Additional Funding to Expand Grants

5 Department until further review by the Appropriations and Finance Committee.

6 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

7 Motion carried.

8
9 Motion made by Councilor R. Shananaquet supported by Secretary Gasco
10 Bentley to table the Murray Road Site Plan until further review by the Land and
11 Reservation Committee.

12 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

13 Motion carried.

14
15 Motion made by Councilor Bardwell and supported by Councilor Otto to approve
16 Gaming Regulatory Commission Regulations REG WOS 2005-06 091609-008.

17 Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

18 Motion carried.

19
20 Motion made by Councilor Kiogima and supported by Councilor Chingwa to table
21 the Minimum Internal Control Standards Amendments REG WOS 2005-06
22 091609-006.

23 Vote: 8 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 0 - Absent

24 Motion carried.

25
26 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
27 to accept the Executive verbal and written report for September 27, 2009 with
28 confidential items contained therein.

29 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

30 Motion carried.

31
32 2:53 p.m. Recess called.

33 3:07 p.m. Meeting reconvened.

34
35 3:07 p.m. Public Comment opened: Rosemary Knapp spoke regarding the Tribal
36 blood quantum statute requirement and request for legislative action. Rosemary
37 also spoke with concern regarding posting Tribal business in the Petoskey News
38 Review. Diane Naganashe asked Treasurer Bott for a financial report regarding
39 the Interim Chief Financial Officer and Controller positions. Matt Lesky spoke
40 regarding the Interim Chief Financial Officer position. Cheryl Kishigo-Lesky spoke
41 regarding the position as Interim Chief Financial Officer.

42 3:39 p.m. Public Comment closed.

43
44 Motion made by Councilor Chingwa and supported by Councilor Mulholland to
45 reimburse Tribal Council attendance at the September 25, 2009 Special Meeting.

46 Vote: 1 - Yes, 8 - No (Councilor Otto, Councilor Kiogima, Secretary Gasco
47 Bentley, Legislative Leader Julie Shananaquet, Councilor Mulholland, Councilor
48 R. Shananaquet, Treasurer Bott), 0 - Abstained, 0 – Absent

1 Motion failed.

2
3 Motion made by Secretary Gasco Bentley and supported by Councilor R.
4 Shananaquet to release the Closed Session Minutes of April 18, 1999.

5 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

6 Motion carried.

7
8 Motion made by Councilor Kiogima and supported by Councilor R. Shananaquet
9 for the Closed Session Meeting Minutes of March 5, 2006 to remain closed.

10 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

11 Motion carried.

12
13 4:25 p.m. Motion made by Councilor Otto and supported by Councilor Bardwell to
14 adjourn.

15 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

16 Motion carried.

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21
22 These Minutes have been read and approved as written (or) corrected: (delete
23 either the word "written" or "corrected" as pertains to how the minutes were
24 approved.)

25
26
27
28 _____
29 Regina Gasco Bentley, Tribal Council Secretary

Date